

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action mailed November 17, 2006. At the time of the Office Action, Claims 1-22 were pending in the Application. Applicant amends Claims 1, 8, 13, and 18 without prejudice or disclaimer. The amendments to these claims are not the result of any prior art reference and, thus, do not narrow the scope of any of the claims. Furthermore, the amendments are not related to patentability issues and only further clarify subject matter already present. All of Applicant's amendments have only been done in order to advance prosecution in this case. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Section 102 Rejection

The Examiner rejects Claims 1, 3-8, 10-13, 15-18 and 20-22 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,810,259 issued to Zhang (hereinafter "*Zhang*"). This rejection is respectfully traversed for the following reasons.

Applicant respectfully reminds the Examiner that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.¹ In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim."² In regard to inherency of a reference, "[t]he fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic."³ Thus, in relying upon the theory of inherency, an Examiner must provide a basis in fact and/or technical reasoning to support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art.⁴

¹ *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131.

² *Richardson v. Suzuki Motor Co.*, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 USPQ 2d 1566 (Fed. Cir. 1990); MPEP §2131 (*emphasis added*).

³ MPEP §2112 (citing *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ 2d 1955, 1957 (Fed. Cir. 1993) (*emphasis in original*)).

⁴ MPEP §2112 (citing *Ex Parte Levy*, 17 USPQ 2d 1461, 1464 (Bd. Pat. at App. and Inter. 1990) (*emphasis in original*)).

Using this well-settled jurisprudence, it becomes clear that *Zhang* cannot inhibit the patentability of the pending subject matter of amended Independent Claim 1. First, nothing in *Zhang* teaches the packet gateway searching a local cache for a profile with network digits of the first end user's MSID. There is simply nothing in *Zhang* for this disclosure. Additionally, *Zhang* fails to provide any architecture operable to mark an expiry time that is provided within the profile. Again, there is no recitation of such a functionality in *Zhang*. Finally, Independent Claim 1 circumscribes that once the profile is in the cache, subsequent users that belong to a same group can be authorized with a realm and with authorization attributes and without involving the AAA server. This simplification, whereby only the realm and authorization attributes are used for authorization, is missing from the configuration of *Zhang*. Thus, because of the missing elements of *Zhang*, this reference cannot be a barrier to patentability for the pending subject matter. In addition, amended Independent Claims 8, 13, and 18 recite a similar limitation and, hence, are allowable using the same rationale. Additionally, their respective dependents should also be allowed for analogous reasons. Notice to this effect is respectfully requested.

Section 103 Rejection

The Examiner rejects Claims 2, 9, 14 and 19 under 35 U.S.C. 103(a) as being unpatentable over *Zhang* in view of U.S. Patent No. 6,925,560 issued to Basquin (hereinafter "*Basquin*"). This rejection is now moot in light of the arguments presented above and the aforementioned amendments.

Accordingly, all of the pending claims have been shown to be allowable, as they are patentable over the cited references. Notice to this effect is respectfully requested in the form of a full allowance of these claims.

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CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

Applicant believes no fee is due. However, if this is not correct, the Commissioner is hereby authorized to charge any additional amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact Thomas J. Frame at 214.953.6675.

Respectfully submitted,
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